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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,796	02/26/2004	Chi Lung Chang	4338SF	9456

7590 08/03/2006
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EXAMINER

LUKS, JEREMY AUSTIN

ART UNIT PAPER NUMBER

2837

DATE MAILED: 08/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/789,796	CHANG, CHI LUNG	
	Examiner	Art Unit	
	Jeremy Luks	2837	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/26/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coffin (2001/0037910) in view of Gahm (5,623,132). Coffin teaches a speaker enclosure (Figure 3, #10B) comprising a housing (11) including a chamber formed therein (area inside enclosure #11) and defined by a front panel (15B), a rear panel (14B) and an upper panel (11, upper portion of enclosure #11), said rear panel (14B) including an opening (104) formed therein and communicating with said chamber of said housing (11), at least one low frequency (Page 4, [0050]) speaker (17) (Page 2, [0030]) received in said chamber of said housing (11), and attached to said front panel (15B) and aligned with said rear panel (14B); and a tube (100) disposed outside of said housing (11), and including a first end attached to said opening (104) of said rear panel (14B) of said housing (11), to enclose said opening (104) of said rear panel (14B) of said housing (11), and including a second end (102) to direct sound out of said housing (11); and wherein said tube (100) includes a segment (103) disposed outside of said rear panel (14B) of said housing (11), and secured to said rear panel (14B) of said housing by at least one bracket (See top hole portion of rear panel #14B which secures

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tube #100 to the rear panel, similar to the hole #28 in front panel #15B which also secures tube #100 to the enclosure); and wherein said tube includes a lateral segment (101) disposed above said upper panel (upper portion of #11) of said housing (11).

Coffin fails to teach wherein the tube is flared, including a second end having a flared member attached thereto; and wherein the segment disposed outside of and secured to said rear panel of said housing is straight; and wherein said lateral segment extends from said straight segment, said flared member is attached to said lateral segment of said flared tube. Gahm teaches a flared tube (Figure 6, #25) including a second end (36) having a flared member (30) attached thereto; and a straight segment (78) disposed along the rear panel; and a lateral segment (34) extending from said straight segment (78), and said flared member (30) is attached to said lateral segment (34) of said flared tube (25). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the apparatus of Coffin, with the apparatus of Gahm to increase the angle of sound dispersion from the tube opening.

Conclusion

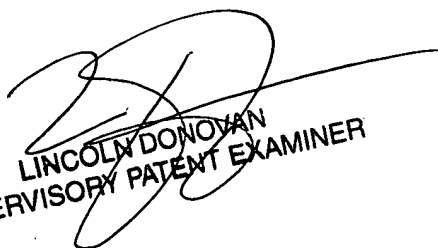
2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pertinent arts of record relating to speaker enclosures having outer flared tubes are disclosed in the PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy Luks whose telephone number is (571) 272-2707. The examiner can normally be reached on Monday-Thursday 8:30-6:00, and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lincoln Donovan can be reached on (571) 272-1988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeremy Luks
Patent Examiner
Art Unit 2837


LINCOLN DONOVAN
SUPERVISORY PATENT EXAMINER